

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**AMY ROLLS, ON BEHALF OF  
THE MINOR CHILD ANZLEY ROLLS**

**CIVIL ACTION NO. 2:18-CV-00188**

**JUDGE ROBERT S. SUMMERHAYS**

**VERSUS**

**MAGISTRATE JUDGE KATHLEEN KAY**

**PACKAGING CORP. OF AMERICA,  
INC., ET AL**

**STATEMENT OF MATERIAL FACTS AS TO WHICH THERE ARE NO GENUINE  
ISSUES TO BE TRIED**

In accordance with LR 56.1, Local Civil Rules of the Federal District Court in and for the Western District of Louisiana, Defendant, Packaging Corporation of America (“PCA”), offers the following statement of material facts as to which there are no genuine issues to be tried.

1. On February 8, 2017, an explosion occurred at a mill located in DeRidder, Louisiana (“DeRidder Mill”) operated by PCA (“DeRidder Incident”).<sup>1</sup>
2. William Rolls, Jr. (“Rolls”) was employed by and working for Elite Specialty Welding, LLC (“Elite”) at the DeRidder Mill on the day of the DeRidder Incident and was killed in the explosion.<sup>2</sup>
3. Elite was contracted by PCA to perform work at the DeRidder Mill, including the work being performed by Rolls pursuant to a purchase order issued by PCA to Elite.<sup>3</sup>
4. PCA’s purchase orders are issued subject to “PCA’s Terms and Conditions <http://www.packagingcorp.com/doing-business-with-pca>.”<sup>4</sup>

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<sup>1</sup> Petition, ¶ 2.

<sup>2</sup> Record, Document 22-1, page 2 and Petition, ¶ 2.

<sup>3</sup> Exhibit A, Declaration of Lori Smith, ¶¶ 6-12.

5. PCA's Terms and Conditions provide that PCA is the principal employer under the Act and that PCA is to be recognized as the statutory employer of Elite's employees providing work and/or services to PCA.<sup>5</sup>
6. The DeRidder Mill generates a product made from wood pulp—containerboard.<sup>6</sup>
7. The work performed by Elite on February 8, 2017 at the DeRidder Mill was an integral part of or essential to the ability of PCA to generate its goods, products, or services--more specifically, containerboard.<sup>7</sup>
8. Rolls was PCA's statutory employee on February 8, 2017.<sup>8</sup>

Respectfully submitted,

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<sup>4</sup> Exhibit A, Declaration of Lori Smith, ¶10, Ex. A-3.

<sup>5</sup> Exhibit A, Declaration of Lori Smith, ¶ 10, Ex. A-3, § 9 *SITE WORK*, ¶3.

<sup>6</sup> Exhibit C, Declaration of Stacy Miller, ¶¶ 2-6.

<sup>7</sup> Exhibit C, Declaration of Stacy Miller, ¶¶ 2-6; Exhibit A, Declaration of Lori Smith, ¶¶ 6-12.

<sup>8</sup> See footnotes 1 – 8.